



# House of Representatives

General Assembly

**File No. 547**

February Session, 2012

House Bill No. 5534

*House of Representatives, April 19, 2012*

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING ROBBERY COMMITTED AT A BANK OR CREDIT UNION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-133 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 A person commits robbery when, in the course of committing a  
4 larceny, [he] such person uses or threatens the immediate use of  
5 physical force upon another person for the purpose of: (1) Preventing  
6 or overcoming resistance to the taking of the property or to the  
7 retention thereof immediately after the taking; or (2) compelling the  
8 owner of such property or another person to deliver up the property or  
9 to engage in other conduct which aids in the commission of the  
10 larceny. With respect to robbery committed on the premises or  
11 property of a bank, Connecticut credit union or federal credit union, as  
12 those terms are defined in section 36a-2, a person may be found to  
13 "threaten the immediate use of physical force upon another person"  
14 under this section when, with intent to cause another person to fear for

15 his physical safety, such person wilfully makes a statement or engages  
16 in conduct such as wearing a mask, hood or other device designed to  
17 conceal the identity of such person and causes such other person to  
18 reasonably fear for his physical safety.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2012	53a-133
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**JUD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 13 \$	FY 14 \$
Correction, Dept.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill results in a potential cost to the Department of Correction due to the addition of specified conduct to the robbery statute. This could result in additional convictions and plea bargains that result in incarceration and costs to the Department of Correction. On average it costs the state \$44,165 to incarcerate an offender annually.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****HB 5534*****AN ACT CONCERNING ROBBERY COMMITTED AT A BANK OR CREDIT UNION.*****SUMMARY:**

This bill specifies certain actions that, when committed at a bank or credit union, may constitute the threat of the immediate use of physical force upon someone else for purposes of the robbery statutes. Under the bill, the activity includes someone who, with intent to cause someone else to fear for his or her physical safety, (1) willfully makes a statement or engages in conduct such as wearing a mask, hood, or other device designed to conceal his or her identity and (2) causes the other person to reasonably fear for his or her physical safety.

By law, someone commits robbery when, in the course of committing a larceny, the person uses or threatens the immediate use of physical force upon another person to (1) prevent or overcome resistance to the taking of the property or to the retention of the property immediately after the taking or (2) compel the property owner or another person to deliver the property or to engage in other conduct which aids in the commission of the larceny. Robbery is divided into three degrees, and ranges from a class B felony (1<sup>st</sup> degree) to a class D felony (3<sup>rd</sup> degree).

EFFECTIVE DATE: October 1, 2012

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 42 Nay 0 (04/02/2012)